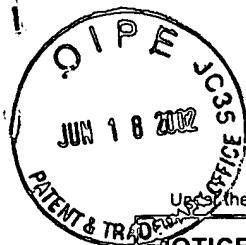


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PTO/SB/31 (02-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)  
42390P4577

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231." on June 10, 2002.

Signature Lori E. True

Typed or printed name Lori E. True.

In re Application of  
Enhanced Photocell with Sample and Hold Amplifier

Application Number 09/307,574	Filed May 7, 1999
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For  
Phillip E. Mattison

Group Art Unit 2878	Examiner Thanh X. Phuu
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Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$320.00

\$

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \_\_\_\_\_
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- applicant/inventor.
- assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- attorney or agent of record.
- attorney or agent acting under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a). 39,865

Signature

Mark C. Van Ness

Typed or printed name

June 10, 2002

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 1 form is submitted, in duplicate.

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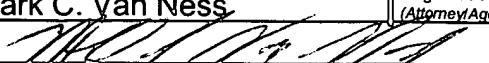
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ 320.00)

METHOD OF PAYMENT						FEE CALCULATION (continued)																																																																																																																																																	
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <b>02-2666</b></p> <p>Deposit Account Name <input type="text"/></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>						<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205 65 Surcharge - late filing fee or oath</td><td><input type="text"/></td></tr> <tr><td>127</td><td>50</td><td>227 25 Surcharge - late provisional filing fee or cover sheet</td><td><input type="text"/></td></tr> <tr><td>139</td><td>130</td><td>139 130 Non-English specification</td><td><input type="text"/></td></tr> <tr><td>147</td><td>2,520</td><td>147 2,520 For filing a request for ex parte reexamination</td><td><input type="text"/></td></tr> <tr><td>112</td><td>920*</td><td>112 920* Requesting publication of SIR prior to Examiner action</td><td><input type="text"/></td></tr> <tr><td>113</td><td>1,840*</td><td>113 1,840* Requesting publication of SIR after Examiner action</td><td><input type="text"/></td></tr> <tr><td>115</td><td>110</td><td>215 55 Extension for reply within first month</td><td><input type="text"/></td></tr> <tr><td>116</td><td>400</td><td>216 200 Extension for reply within second month</td><td><input type="text"/></td></tr> <tr><td>117</td><td>920</td><td>217 460 Extension for reply within third month</td><td><input type="text"/></td></tr> <tr><td>118</td><td>1,440</td><td>218 720 Extension for reply within fourth month</td><td><input type="text"/></td></tr> <tr><td>128</td><td>1,960</td><td>228 980 Extension for reply within fifth month</td><td><input type="text"/></td></tr> <tr><td>119</td><td>320</td><td>219 160 Notice of Appeal</td><td><input type="text"/></td></tr> <tr><td>120</td><td>320</td><td>220 160 Filing a brief in support of an appeal</td><td><input type="text"/></td></tr> <tr><td>121</td><td>280</td><td>221 140 Request for oral hearing</td><td><input type="text"/></td></tr> <tr><td>138</td><td>1,510</td><td>138 1,510 Petition to institute a public use proceeding</td><td><input type="text"/></td></tr> <tr><td>140</td><td>110</td><td>240 55 Petition to revive - unavoidable</td><td><input type="text"/></td></tr> <tr><td>141</td><td>1,280</td><td>241 640 Petition to revive - unintentional</td><td><input type="text"/></td></tr> <tr><td>142</td><td>1,280</td><td>242 640 Utility issue fee (or reissue)</td><td><input type="text"/></td></tr> <tr><td>143</td><td>460</td><td>243 230 Design issue fee</td><td><input type="text"/></td></tr> <tr><td>144</td><td>620</td><td>244 310 Plant issue fee</td><td><input type="text"/></td></tr> <tr><td>122</td><td>130</td><td>122 130 Petitions to the Commissioner</td><td><input type="text"/></td></tr> <tr><td>123</td><td>50</td><td>123 50 Processing fee under 37 CFR 1.17(q)</td><td><input type="text"/></td></tr> <tr><td>126</td><td>180</td><td>126 180 Submission of Information Disclosure Stmt</td><td><input type="text"/></td></tr> <tr><td>581</td><td>40</td><td>581 40 Recording each patent assignment per property (times number of properties)</td><td><input type="text"/></td></tr> <tr><td>146</td><td>740</td><td>246 370 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td><input type="text"/></td></tr> <tr><td>149</td><td>740</td><td>249 370 For each additional invention to be examined (37 CFR § 1.129(b))</td><td><input type="text"/></td></tr> <tr><td>179</td><td>740</td><td>279 370 Request for Continued Examination (RCE)</td><td><input type="text"/></td></tr> <tr><td>169</td><td>900</td><td>169 900 Request for expedited examination of a design application</td><td><input type="text"/></td></tr> <tr><td colspan="6">Other fee (specify) <input type="text"/></td><td colspan="6"></td></tr> <tr> <td colspan="6">*For number previously paid, if greater; 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SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Mark C. Van Ness	Registration No. (Attorney/Agent)	39,865	Telephone	(303) 740-1980
Signature					
Date	June 10, 2002				

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